

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CAROLYN WENDY HERZ,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-00075-JPH-MPB
)	
RICHARD L. YOUNG, <i>Judge, United</i>)	
<i>States District Court,</i>)	
EVAN GOODMAN,)	
MARC ROTHENBERG,)	
JUDGE JAMES JOVEN,)	
SEAN PERSIN,)	
ERIC HOLCOMB, <i>Individually and as</i>)	
<i>Governor of the State of Indiana,</i>)	
CURTIS HILL, <i>Individually and as</i>)	
<i>Attorney General for the State of Indiana,</i>)	
DENNIS SASSO,)	
SANDY SASSO,)	
LESLIE PAGE,)	
RECOVERY CENTERS OF AMERICA)	
HOLDINGS, LLC)	
VERIZON WIRELESS,)	
MCI COMMUNICATIONS SERVICES LLC,)	
DAVID KENNEDY,)	
ROBERT E. LEE DAVIES,)	
HILLARY CLINTON,)	
DONALD HARRIS,)	
)	
Defendants.)	

ORDER TO SHOW CAUSE AND STAY PROCEEDINGS

Plaintiff Carolyn Wendy Herz ("Plaintiff") originally filed this action in Marion Superior Court on December 22, 2020 under Cause No. 49D14-2012-CT-045076. On January 12, 2021, her case was removed to federal court. See dkt. 1 (citing 28 U.S.C. § 1442(a) (civil actions brought against the United

States, its officers, or agencies may be removed to the United States District Court)). The Court takes notice that Ms. Herz is also known as Carolyn H. Srivastava, whose right to file within this Circuit and this Court is restricted.

Ms. Herz is subject to sanctions that were imposed by the Seventh Circuit in an Order dated August 30, 2011. The Order specifies:

[T]he clerks of all federal courts in this circuit shall return unfiled any papers submitted either directly or indirectly by or on behalf of Carolyn H. Srivastava unless and until she pays in full the sanction that has been imposed against her. *See In re: City of Chi.*, 500 F.3d 582, 585-86 (7th Cir. 2007); *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus. *See Mack*, 45 F.3d at 186-87. This order will be lifted immediately once Srivastava makes full payment. *See City of Chi.*, 500 F.3d at 585-86.


Srivastava v. Zoeller, No. 11-2817 (7th Cir. Aug. 30, 2011) (imposing filing restrictions on Ms. Herz pending payment of \$1500 fine). This Court has also sanctioned Ms. Herz, preventing her from filing. An amended injunction was issued in Cause No. 1:04-mc-104-SEB-DML on July 29, 2011, and was extended as recently as May 22, 2014. *See In re: Srivastava*, 2011 U.S. Dist. LEXIS 84121 (S.D. Ind. July 29, 2011); *In re: Carolyn Wendy Herz f/k/a Carolyn Srivastava*, 1:04-mc-104 (S.D. Ind. July 3, 2013) (enjoining Ms. Herz from filing or continuing to litigate any claim in any court of any jurisdiction that targets the defendants in any of her prior cases or claims until eight months beyond certain reports are filed with the court). The Court does not believe that Ms. Herz has satisfied her obligations under either of these orders.

Until Ms. Herz has satisfied her obligations both before the Seventh Circuit and before this Court, it is not possible for her to litigate her claims. **IT IS ORDERED** that Ms. Herz has **through January 28, 2021** to **SHOW CAUSE** why this action should not be dismissed because restrictions have been imposed on her ability to file papers in federal courts. **IT IS FURTHER ORDERED** that, other than a response to this show cause order, Ms. Herz is prohibited from delivering any documents to the Clerk for filing, and must not attempt to present materials or information to the Court in an indirect fashion, such as by sending a fax or an email to the Court or its personnel except as explicitly provided by General Orders of this Court. To do so would be a violation of the orders of the Court of Appeals and of this Court.

Any and all proceedings in this matter are **STAYED** until the Court acts, either upon Ms. Herz' response to this order, or upon Ms. Herz' failure to respond if no response is made.

SO ORDERED.

Date: 1/14/2021


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution by U.S. Mail to:

Carolyn Wendy Herz
3105 Lehigh Court
Indianapolis, IN 46268-1320

Distribution to electronically registered counsel via ECF